

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 148

June 27, 1997, 12:20 pm
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TAXPAYER RELIEF ACT/Senate Reconciliation Procedures

SUBJECT: Taxpayer Relief Act of 1997 . . . S. 949. Byrd amendment No. 572.

ACTION: AMENDMENT AGREED TO, 92-8

SYNOPSIS: As reported, S. 949, the Taxpayer Relief Act of 1997, will provide net tax relief of \$76.8 billion over 5 years and \$238 billion over 10 years. The cost will be more than offset by the economic dividend (\$355 billion over 10 years) that will result from balancing the budget in fiscal year (FY) 2002. This bill will enact the largest tax cut since 1981 and the first tax cut since 1986. It will give cradle-to-grave tax relief to Americans: it will give a \$500-per-child tax credit, education tax relief, savings and investment tax relief, retirement tax relief, and estate tax relief. Over the first 5 years, approximately three-fourths of the benefits will go to Americans earning \$75,000 or less. It will eliminate a third of the increased tax burden imposed by the 1993 Clinton tax hike, which was the largest tax hike in history.

The Byrd amendment would change the procedures for considering reconciliation bills in the Senate. Currently, debate on a first-degree amendment to a reconciliation bill is limited to 2 hours, debate on a second-degree amendment or debatable motion is limited to 1 hour, and total debate time is limited to 20 hours. Managers are permitted to yield back time. After the expiration of debate time, amendments may continue to be offered, though no debate may occur except by unanimous consent. Under the Byrd amendment, total debate time would be extended to 30 hours. Debate on a first-degree amendment would be reduced to 30 minutes, and debate on a second-degree amendment or a debatable motion would be reduced to 20 minutes. After the first 15 hours had expired, time on a first-degree amendment would also be limited to 20 minutes. No first-degree amendment could be considered unless it had been submitted to the Journal Clerk prior to the expiration of the 15th hour, and no second-degree amendment could be considered unless it had been so submitted prior to the expiration of the 20th hour. Managers would need unanimous consent to yield back time. After no more than 30 hours of consideration of the measure, the Senate could only vote on pending amendments, motions to table those amendments, and final passage.

The amendment was offered after all debate time had expired. However, by unanimous consent, some debate was permitted on the amendment.

(See other side)

YEAS (92)				NAYS (8)		NOT VOTING (0)	
Republican (48 or 87%)		Democrats (44 or 98%)		Republicans (7 or 13%)	Democrats (1 or 2%)	Republicans (0)	Democrats (0)
Abraham	Hutchison	Akaka	Inouye	Allard	Wellstone		
Bennett	Inhofe	Baucus	Johnson	Ashcroft			
Bond	Jeffords	Biden	Kennedy	Brownback			
Burns	Kempthorne	Bingaman	Kerrey	Craig			
Campbell	Kyl	Boxer	Kerry	Gramm			
Chafee	Lott	Breaux	Kohl	McCain			
Coats	Lugar	Bryan	Landrieu	Santorum			
Cochran	Mack	Bumpers	Lautenberg				
Collins	McConnell	Byrd	Leahy				
Coverdell	Murkowski	Cleland	Levin				
D'Amato	Nickles	Conrad	Lieberman				
DeWine	Roberts	Daschle	Mikulski				
Domenici	Roth	Dodd	Moseley-Braun				
Enzi	Sessions	Dorgan	Moynihan				
Faircloth	Shelby	Durbin	Murray				
Frist	Smith, Bob	Feingold	Reed				
Gorton	Smith, Gordon	Feinstein	Reid				
Grams	Snowe	Ford	Robb				
Grassley	Specter	Glenn	Rockefeller				
Gregg	Stevens	Graham	Sarbanes				
Hagel	Thomas	Harkin	Torricelli				
Hatch	Thompson	Hollings	Wyden				
Helms	Thurmond						
Hutchinson	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Those favoring the amendment contended:

In Milton's "Paradise Lost," the Palace of Satan was designated as "pandemonium." With the scores of amendments being offered with no real debate and just cursory explanations at the end of this reconciliation bill, we have new appreciation for Milton's depiction of the deepest pit of hell. This problem did not originate this year; for the past several years it has existed, and it has been growing. For the good of the country we need to put a stop to it. The Byrd amendment would accomplish that end. Changes include that it would give Senators more debate time if they got their amendments in at the start of the process than if they waited; it would make them file their amendments early so Senators would at least have a chance to familiarize themselves with the proposals; and, most importantly, it would stop this insane process of offering amendments after the expiration of debate time. For the good of the country, and for the good of the Senate, we strongly urge our colleagues to accept this amendment.

While favoring the amendment, some Senators expressed the following reservations:

We agree that the current process does not serve the United States well. Voting on numerous stacked amendments with only the slightest explanations and no real debate, even though those amendments could potentially have enormous impacts on the country, is quite simply wrong. It is also totally out of keeping with Senate traditions and even one of the main purposes of the Senate, which is to subject every proposal to very serious, thorough examination. The greatest deliberative body in the world should not be reduced to making snap judgments of enormous import based on cookie-cutter sketches of amendments. At the same time, we are fearful that the pending amendment might cause great damage to another purpose of the Senate, which is to protect minority interests. Senate rules are deliberately structured to give each Senator the power to bring the Senate to its knees. If an individual Senator feels strongly enough about an issue, he or she can make life very difficult for other Senators unless an accommodation is reached. The reconciliation process already seriously weakens that principle by limiting the cherished right to extended debate; we fear that the Byrd amendment could weaken it further by making it possible for a determined majority of Senators to prevent a Senator from even offering an amendment to a reconciliation bill within the time frame allotted. Still, it is clear that there is a problem with the current process, and we are hopeful that some agreement may be reached in conference (between Senators; House Members have no role in determining Senate rules) that will allay our concerns. On that basis, we are willing to accept the Byrd amendment, as an important first step in fixing the problem of amendments being offered on reconciliation bills after all debate time has expired.

No arguments were expressed in opposition to the amendment.